

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION**

<b>FIRST BANK &amp; TRUST,</b>	§	
	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>vs.</b>	§	<b>Cause No.5:18-cv-00234-C</b>
	§	
<b>REAGOR AUTO MALL, LTD. d/b/a</b>	§	
<b>REAGOR-DYKES OF LEVELLAND and</b>	§	
<b>d/b/a REAGOR-DYKES IMPORTS,</b>	§	
<b>FIRSTCAPITAL BANK OF TEXAS, N.A.,</b>	§	
<b>BART REAGOR, RICK DYKES, SHANE</b>	§	
<b>SMITH, SHEILA MILLER, BRAD D.</b>	§	
<b>BURGESS, and KENNETH L. BURGESS,</b>	§	
	§	
<b>Defendant.</b>	§	

**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST  
DEFENDANTS REAGOR AND DYKES**

Plaintiff First Bank & Trust (“First Bank”) respectfully moves this Court, pursuant to FED. R. CIV. P. 56, for an order granting First Bank’s Motion for Partial Summary Judgment and entering judgment in favor of First Bank against Defendants Bart Reagor and Rick Dykes, jointly and severally, in the amount of \$3,272,055.70. First Bank also requests that the Court find that First Bank is entitled to recover its attorneys’ fees and court costs, subject to submission of proof as to the amount and reasonableness of the fees and expenses on a schedule to be set by the Court.

In support of its Motion, First Bank submits a Brief in Support of its Motion for Partial Summary Judgment against Defendants Reagor and Dykes, the Affidavit of Jared Townsend, the Affidavit of Matthew R. Miller, and an appendix containing the evidence relied upon by First Bank.

**REQUEST FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that the Court grant First Bank's Motion for Partial Summary Judgment; enter judgment in favor of First Bank and against Defendants Bart Reagor and Rick Dykes in the amount of \$3,272,055.70, and order that First Bank is entitled to recover its attorneys' fees and costs; and grant First Bank such other and further relief, special or general, legal or equitable, to which First Bank may show itself justly entitled.

Respectfully submitted,

**STINSON LEONARD STREET LLP**

By: /s/ Paul B. Lackey

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**ATTORNEYS FOR PLAINTIFF FIRST  
BANK & TRUST**

**CERTIFICATE OF SERVICE**

I certify that on August 30, 2019, a true and correct copy of the foregoing document was served on all counsel of record via the Court's electronic filing system.

/s/ Matthew R. Miller

Matthew R. Miller